

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

for the
Southern District of Texas

United States of America

v.
Wilson Nery TUBAC-Buc

Case No.

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of February 12, 2025 in the county of Webb in the
Southern District of Texas, the defendant(s) violated:

Code Section

8 USC 1324

Offense Description

Knowing and in reckless disregard of the fact that an alien had come to, entered, and remained in the United States in violation of law, did transport and move and attempted to transport and move and conspired to transport and move such alien within the United States by means of transportation and otherwise in furtherance of such violation of law.

This criminal complaint is based on these facts:

Continued on Affidavit

☒ Continued on the attached sheet.

/S/Luis I. Molina Castro

Complainant's signature

Luis I. Molina Castro, Border Patrol Agent

Printed name and title

Sworn to before me and signed in my presence,

Date: February 14, 2025

Judge's signature

City and state: Laredo, Texas

Christopher dos Santos, U.S. Magistrate Judge

Printed name and title

AFFIDAVIT

In support of Criminal Complaint

UNITED STATES OF AMERICA

CRIMINAL COMPLAINT

V.

Wilson Nery TUBAC-Buc

Case Number:

On February 12, 2025, at approximately 8:30 P. M. Freer Border Patrol Station (FRR) received a report from the Laredo North Border Patrol Station (LRN) advising of a vehicle possibly trying to circumvent the checkpoint in the Catorce Ranch. Shortly after, Texas Department of Public Safety (DPS) Air Assets observed a vehicle traveling along a well-established highline leading to Highway 44. The Catorce Ranch is located on Callahan Road west of the Freer Border Patrol Checkpoint (E43). Agents were dispatched to the area. Local law enforcement agencies were advised of the traffic. The Catorce Ranch is commonly used to circumvent E43 and is used as an alien and narcotic smuggling route. FRR has recently experienced several smuggling attempts in this area and utilizing this route of travel.

Prior to arriving on scene, DPS Air Assets witnessed a black in color Tahoe traversing the Junco ranch. It appeared the vehicle had exited the Catorce Ranch and entered the Junco Ranch. The Junco Ranch borders the Catorce Ranch and is located to the east towards Highway 44. DPS Air Assets advised via service radio that he had observed two subjects exiting the vehicle and begin to manipulate and cut the lock and or chain on Junco Ranch entry gate. The vehicles occupants appeared to be attempting to exit the property to access Highway 44. DPS Air Assets then advised that two passengers had opened the gate, and the vehicle drove through the gate. A nearby DPS preformed an investigation as to the purpose of their travel route, and detained three subject, one driver and two passengers. A BPA arrived on scene and conducted an immigration inspection of all three subjects. The two passengers freely admitted to being in the United States illegally and did not possess any immigrations documents to remain, live or work in the United States. The driver was identified as, TUBAC-BUC, Nery Wilson stated that he had been living in the United States since 2017 and did not possess any immigration documents to remain, live or work in the United States legally. All subjects were arrested and transported to E43 for processing.

Nery Wilson TUBAC-Buc was read his rights and declined to provide a statement without a lawyer present.

JOSE GUADALUPE SIERRA-JAUREGUI, a citizen of Mexico is serving as a material witness. SIERRA-JAUREGUI stated that he made arrangements to be smuggled into the United States through a social media Instagram account. SIERRA-JAUREGUI does not recall the social media account name he used to make the arrangements himself. SIERRA stated his uncle who lives in Bryan, Texas made an initial payment of \$3,000 USD to a person that is unknown to him. SIERRA-JAUREGUI was provided the code "chocolate" which he used throughout the smuggling attempt as an identifier. A final payment of \$6,500 USD would be made once he was safely delivered to Bryan, Texas which was his destination. He crossed into the United States illegally on February 12, 2025, at approximately 1:00 A.M. somewhere in Laredo, Texas. Once he crossed, a white pick-up picked him up and drove him along with another subject to a secluded area with no identifiable markers. The driver then left the vehicle and returned approximately six hours later. At that time, the white pick-up drove both subjects to a residential area in Laredo, Texas. SIERRA-JAUREGUI states that he was transferred into a black sport utility vehicle (SUV). SIERRA-JAUREGUI stated that the driver knew he was illegally present in the United States by means of conversation. This SUV and driver were the ones that were going to take SIERRA-JAUREGUI to Bryan, Texas. SIERRA-JAUREGUI was presented with a six-person photo lineup and was able to positively identify Nery Wilson TUBAC-Buc as the driver.

Yovani GARCIA a citizen of Mexico is serving as a material witness. GARCIA freely stated that his family paid a sum of \$2,500.00 USD for him to be smuggled into the United States. He stated that on Tuesday, February 11th, 2025, at approximately 1:00 A.M., he crossed the US/Mexico border on foot into Laredo, TX. He stated that after approximately one hour, he was met by an individual driving a black pickup and used the "clave" (passphrase) "chocolate" to identify himself for pick up. The black pick-up then drove him to a yellow house. He claimed that he and one other person waited in the yellow house for one day. He then stated that a tall, large, dark complected male instructed them it was time to leave. He and the second individual from the yellow house got into a black sedan and travelled to a second location approximately one hour away. Once at that location, he states that they got into

a black, four door pick-up and began their trip.

GARCIA stated that the trip took approximately three hours and along the way, he would exit the vehicle and used bolt cutters to cut locks and open ranch gates. He claimed that Bryan, TX was the planned final destination. GARCIA claimed the second individual being smuggled with him is his "primo" (cousin) and that the driver was unaware of their immigration status. He also states that he did not pay the driver directly and that the original \$2,500.00 USD is the only money paid for his trip. He stated that he was inside the cab and able to see the driver during the trip.

SUBSCRIBED and SWORN to before me on

14th day of February, 2025

Signature of Judicial Officer

/S/ Molina Castro, Luis I. Border Patrol Agent
Signature of Complainant